IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 377 OF 1989

The State of Maharashtra ..Appellant

versus

Ravindra Pandurang Ghadage ..Respondent

Mr. P.A. Pol, APP for the Appellant - State.

Mr. A. B. Vagyani for the Respondent - Accused.

CORAM : D. G. DESHPANDE, &
SMT. NISHITA MHATRE, JJ.

DATE : 22ND MARCH, 2007.

ORAL ORDER.

1. Heard learned APP for the State and Advocate for the Respondent - Accused.

2. Accused is acquitted by the trial court for the offences under Section 376, 420, 506 of IPC. Accused came to be acquitted firstly because there is absolutely no corroboration to the testimony of the victim. She kept silent for about nine months after the alleged incident of rape i.e. first rape and subsequent intercourse with the consent. She

tried to create a story that accused has given promise of marriage. But according to her testimony such a promise was given after they had physical contact number of times. This itself falsifies the story of the prosecutrix and therefore the trial court rightly disbelieved the complainant and acquitted the accused. Judgment of the trial court cannot be said to be perverse. Out of the two views possible the view taken by the trial court is reasonable. No interference is called for. Appeal is dismissed. Bail bond of the accused stands cancelled.

(SMT. NISHITA MHATRE, J.) **(D.G. DESHPANDE, J.)**